

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Cleo M. James a/k/a Cleo Dunbar
Debtor(s)

CHAPTER 13

MIDFIRST BANK

Movant

vs.

NO. 19-14679 MDC

Cleo M. James a/k/a Cleo Dunbar

Debtor(s)

Kenneth E. West Esq.

Trustee

11 U.S.C. Section 362

**MOTION OF MIDFIRST BANK
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362**

1. Movant is MIDFIRST BANK.

2. Debtor(s) is/are the owner(s) of the premises 1133 East Stafford Street, Philadelphia, PA 19138, hereinafter referred to as the mortgaged premises.

3. Movant is the holder of a mortgage, original principal amount of \$41,869.00 on the mortgaged premises that was executed on September 29, 2000. The mortgage has been assigned as follows:
FROM: Cendant Mortgage Corporation TO: MidFirst Bank, by assignment of mortgage dated 01/23/2002 and recorded in Philadelphia PA on 03/01/2002 as Doc ID 50414084.

4. Kenneth E. West Esq., is the Trustee appointed by the Court.

5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor(s).

6. Debtor(s) has/have failed to make the monthly post-petition mortgage payments in the amount of \$414.94 for the months of April 2023 through June 2023, less suspense of \$250.86, plus late charges if applicable.

7. The total amount necessary to reinstate the loan post-petition is \$993.96.

8. Movant is entitled to relief from stay for cause.

9. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/ Mark A. Cronin

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